

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

DENSYS LTD.,

Plaintiff,

v.

3SHAPE TRIOS A/S and 3SHAPE A/S,

Defendants.

Case No. 6:19-cv-00680-ADA

ORDER

Before the Court is Defendants' 3Shape Trios A/S and 3Shape A/S (collectively "3Shape"), Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(5). The Court finds that the motion should be **DENIED**.

However, pursuant to the request for alternative relief as requested in Plaintiff, Densys Ltd.'s response to Defendants' Motion to Dismiss, the Court finds that the request pursuant to Federal Rule of Civil Procedure 4(f)(3) for leave to effect alternative service of the summons and complaint on 3Shape is **GRANTED**.

IT IS THEREFORE ORDERED that Densys Ltd. may effect service on 3Shape using the following four means in combination:

1. Sending the complaint and other required materials to 3Shape's counsel, Max Ciccarelli and Bruce S. Sostek, at Thompson and Knight LLP, by email and FedEx, using the same email and postal addresses listed in the signature block of 3Shape's February 6, 2020 Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(5): Thompson & Knight LLP, One Arts Plaza, 1722

Routh Street, Suite 1500, Dallas, TX 75201-2533 and
(bruce.sostek@tklaw.com & max.ciccarelli@tklaw.com);

2. Sending the complaint and other required materials to 3Shape's Head of Litigation, Thomas Kirbak, via email and FedEx, using his publicly available email address: thomas.kirkbak@3shape.com and the mailing address of 3Shape's headquarters: Holmens Kanal 7, 1060 Copenhagen, Danmark, as provided on 3Shape's website, 3Shape.com;
3. Sending by FedEx, the complaint and other required materials to 3Shape's U.S. subsidiary corporation, 3Shape Inc., via its registered agent in the State of Delaware where it is incorporated: The Corporation Trust Company, Corporation Trust Center, 1209 Orange St., Wilmington, Delaware, 19801; and
4. Sending the complaint and other required materials to 3Shape's Co-CEO, CFO, and Board of Directors Member, and the Co-founder of 3Shape, Nikolaj Hoffmann Deichmann, via the email address "nikolaj@3shape.com", which he previously used to discuss a collaboration with Densys as alleged in the complaint.

SIGNED this ____ day of _____, 2020.

ALAN D. ALBRIGHT
UNITED STATES DISTRICT JUDGE